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July 30, 2003

Ms. Jennifer Prochazka  
Staff Planner  
Development Services  
City of College Station  
1101 Texas Ave.  
College Station, Texas 77845

Via E-mail [jprochazka@CSTX.gov](mailto:jprochazka@CSTX.gov)  
Via Fax (979) 764-3496  
Via Regular Mail

RE: SAND CANYON PARTNERSHIP - WALGREEN'S, COLLEGE STATION;  
TRACT G-2B, PONDEROSA PLACE, SECTION TWO, CITY OF COLLEGE STATION,  
TX ("PROPERTY")  
ZONING MAP AMENDMENT (REZONING) APPLICATION

Dear Ms. Prochazka:

In supplement to the Zoning Application I filed on behalf of the Owner last week regarding the referenced property, please accept this amendment.

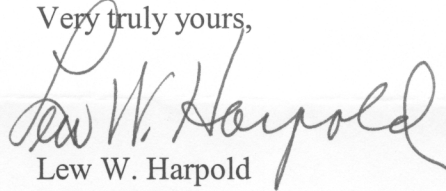
My reference to the Property having been classified C-1 General Commercial prior to June 13, 2003, the effective date of the City's recent redefining of C-2 Commercial Industrial classification, was incorrect. I am told that it was simply C-2 Commercial Industrial but at the time of closing, that classification included retail business. The effect of the City's action was basically the same, i.e., the Property's prior classification permitted retail use and under the current classification of C-2, it was made non-conforming by the June 13<sup>th</sup> redefinition of Commercial Industrial.

The redefined non-conforming use was further defined by adding a forfeiture provision if the non-conforming use is abandoned or dark for three (3) months. The date of the building permit and issuance of the Certificate of Occupancy by the City will show if they state any such exceptions to the prior classification. In any event, as to this Owner, it was a post-closing rezoning without notice.

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We will appreciate this letter being made a part of the Application. Thanks.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lew W. Harpold". The signature is fluid and cursive, with the first name "Lew" being particularly prominent.

Lew W. Harpold  
D 713.986.7160  
lharpold@lrmlaw.com

LWH/ck

cc: Mr. J. Cary Gray  
Mr. Joe Pearson  
Mr. David Richardson  
Mr. Jim Maddox  
Mr. Fred Rizk  
Mr. Tom Grieco